

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

No. 23-132 T
(Judge Eric G. Bruggink)

DERRICK MCNAIR,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

JOINT STATUS REPORT AND MOTION TO CONTINUE STAY

Plaintiff, Derrick McNair, and defendant, the United States, submit this joint status report to update the Court on the status of settlement negotiations. The parties state as follows:

The defendant previously submitted a consented motion to stay this case while the parties work toward settlement. (Doc. 27). The Court granted that request. (Doc. 9). Since that time, plaintiff has submitted an offer in compromise that would completely resolve the tax penalties at issue in this case. Defendant's trial attorney has reviewed the offer and drafted a memorandum with his recommendation to his supervisors concerning the settlement offer. That offer and the accompanying documents are now under review in accordance with the Tax Division's usual procedures. If the offer is accepted on behalf of the Attorney General, it will be forwarded to the IRS for processing.

Accordingly, the parties request that the Court's stay of this case remain in place. If the Court grants this motion, the parties propose to file a joint status report updating the Court on the

status of any settlement on or before October 30, 2023. The parties, however, will notify the Court if, at any time, continued work on settlement appears fruitless.

Plaintiff has advised that he consents to this stay.

August 30, 2023

Respectfully submitted,

/s/ Richard J. Markel
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CERTIFICATE OF SERVICE

I certify that service of this document has been made on plaintiff on August 30, 2023 by mailing a copy thereof, in a postage prepaid envelope, to the following address:

Derrick McNair
18 Forest Street, Basement
Staten Island, NY 10314

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